

**ORAL ARGUMENT NOT YET SCHEDULED****IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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|---------------------------------------|---|-----------------------------|
| CALIFORNIA COMMUNITIES                | ) |                             |
| AGAINST TOXICS, CLEAN POWER           | ) |                             |
| LAKE COUNTY, COMITÉ                   | ) |                             |
| DIÁLOGO AMBIENTAL, RIO                | ) |                             |
| GRANDE INTERNATIONAL                  | ) |                             |
| STUDY CENTER, SIERRA CLUB,            | ) |                             |
| and UNION OF CONCERNED                | ) |                             |
| SCIENTISTS,                           | ) |                             |
| <i>Petitioners,</i>                   | ) | No. 24-1178                 |
|                                       | ) | (Consolidated with 24-1180) |
| v.                                    | ) |                             |
| U.S. ENVIRONMENTAL                    | ) |                             |
| PROTECTION AGENCY and                 | ) |                             |
| MICHAEL S. REGAN, Administrator,      | ) |                             |
| U.S. Environmental Protection Agency, | ) |                             |
| <i>Respondents.</i>                   | ) |                             |

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**PETITIONERS' STATEMENT CONCERNING DEFERRED APPENDIX**

As directed by this Court's June 4, 2024 order, Petitioners California Communities Against Toxics, Clean Power Lake County, Comité Diálogo Ambiental, Rio Grande International Study Center, Sierra Club, and Union of Concerned Scientists have conferred with Respondent U.S. Environmental Protection Agency and Petitioner in 24-1180, Ethylene Oxide Sterilization Association, and the parties have agreed to using a deferred joint appendix, in

accordance with Federal Rule of Appellate Procedure 30(c).

Dated: July 3, 2024

Respectfully submitted,

/s/ Marvin C. Brown IV

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